

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 In Re  
4 Tyrone Noel Nunn

Case No. 2:24-cv-01956-RFB-BNW

## 5 ORDER

## 6 I. DISCUSSION

7 On October 21, 2024, Tyrone Noel Nunn, who is currently in the custody of the  
8 Nevada Department of Corrections, filed a document with the stated purpose of  
9 “retriev[ing] a patent from United States District Court District of Nevada.” (ECF No. 1-1  
10 at 1). Patents are issued by the United States Patent and Trademark Office. Therefore,  
11 this Court cannot issue a patent to Nunn. If Nunn seeks a patent, he must file an  
12 application with the United States Patent and Trademark Office and pay any applicable  
13 costs and fees.

14 Because Nunn is proceeding *pro se* and it is not entirely clear what the purpose of  
15 his filing is, the Court will give Nunn an opportunity to clarify the purpose of this case. If  
16 Nunn seeks to initiate a civil rights case, he must file a complaint. See Fed. R. Civ. P. 3.  
17 (“A civil action is commenced by filing a complaint with the court.”) “A civil-rights complaint  
18 filed by a person who is not represented by an attorney must be submitted on the form  
19 provided by this court or must be legible and contain substantially all the information called  
20 for by the court’s form.” LSR 2-1. And the complaint must be signed personally by the  
21 unrepresented party. Fed. R. Civ. P. 11(a). Alternatively, if Nunn only seeks a patent, he  
22 may file a motion to voluntarily dismiss this case and file an application for a patent with  
23 the United States Patent and Trademark Office.

24 If Plaintiff seeks to initiate a civil rights case, he must also pay the \$405 filing fee  
25 or file a complete application to proceed *in forma pauperis*. The United States District  
26 Court for the District of Nevada must collect filing fees from parties initiating civil actions.  
27 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405,  
28 which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. §

1 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the  
2 court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate  
3 to apply for *in forma pauperis* status, the inmate must submit **all three** of the following  
4 documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis***  
5 **for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by  
6 the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the  
7 Court's approved form, that is properly signed by both the inmate and a prison or jail  
8 official; and (3) a copy of the **inmate's prison or jail trust fund account statement for**  
9 **the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR  
10 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the  
11 filing fee, it just means that the inmate can pay the fee in installments. See 28 U.S.C. §  
12 1915(b).

13 **II. CONCLUSION**

14 It is therefore ordered that the Clerk of the Court Clerk will send to Plaintiff Tyrone  
15 Noel Nunn the approved form for filing a § 1983 complaint, instructions for the same, and  
16 a copy of his initiating document (ECF No. 1-1).

17 It is further ordered that if Plaintiff seeks to initiate a civil rights action, he must  
18 either pay the full \$405 filing fee or file a fully complete application to proceed *in forma*  
19 *pauperis* with all three required documents: (1) a completed application with the inmate's  
20 two signatures on page 3, (2) a completed financial certificate that is signed both by the  
21 inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account  
22 statement for the previous six-month period.

23 The Clerk of the Court is directed to send Nunn the approved form application to  
24 proceed *in forma pauperis* for an inmate and instructions for the same.

25 It is further ordered that Plaintiff has **until December 31, 2024**, to clarify the  
26 purpose of this case and file a civil rights complaint if that is his goal. If Plaintiff seeks to  
27 initiate a civil rights case, he must also pay the \$405 filing fee or file a complete application  
28 to proceed *in forma pauperis* on or before **December 31, 2024**.

1 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
2 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
3 to refile the case with the Court, under a new case number, when Plaintiff can file a  
4 complaint and a complete application to proceed *in forma pauperis* or pay the required  
5 filing fee.

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7 DATED THIS 31<sup>st</sup> day of October 2024.

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UNITED STATES MAGISTRATE JUDGE  
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